

Appl. No. 10/611,332  
Amdt. dated November 11, 2005  
Reply to Office action of August 11, 2005

This listing of claims will replace all prior versions, and listings, of claims in the application:

**Listing of Claims:**

1. **(Currently Amended)** In a one-piece, molded plastic container, the improvement comprising:

a container body having a base and a circumferential sidewall extending upwardly from the base, the upper end of the sidewall forming an open top for the container; and,

a bail for lifting and carrying the container, the bail being a plastic bail integrally molded with the container body, the respective ends of the bail being formed with the sidewall of the container body adjacent an upper, open end thereof, the sidewall having bosses integrally molded therewith and projecting outwardly from the sidewall for connecting the ends of the bail with the container body, the spacing of the bosses being less than  $[[180^\circ]]170^\circ$  apart whereby the container, when empty and lifted using the bail does not hang vertically, but when full does hang vertically.

2. **(Original)** The improvement of claim 1 in which the bosses are spaced approximately  $140^\circ$  apart.

3. **(Original)** The improvement of claim 1 in which the thickness of the base is uniform throughout the length of the bail, and the base and sidewalls of the bail are of substantially the same thickness as the sidewall of the container body.

4. **(Original)** The improvement of claim 3 in which the cross-section of the bail is transformed from a channel shape to a substantially flattened shape at a point intermediate the ends of the bail and substantially equidistant from the bosses on the side of the container body where the bail attaches to the container.

5. **(Cancelled).**

6. **(Currently Amended)** The improvement of claim 1 further including a ring attached to the upper end of the container, the ring having a flange extending outwardly from the container and tabs being integrally formed on the bail and on the container body, ~~the tabs extending past the flange when the container is lifted by someone grasping the bail, with the flange preventing the bail from returning to its original position until the container is again set down wherein the tabs separate from the container body and bias~~

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against the flange in order to extend past the flange when the bail is lifted to a vertical position and wherein the tabs bias against the flange in order to extend past the flange when the bail is returned to a horizontal position.

7. **(Currently Amended)** The improvement of claim 6 in which, when the bail is raised to ~~[[a]]~~ the vertical position for carrying the container, the flattened aspect of the bail extends horizontally, parallel to the ground, to facilitate lifting and carrying of the container, the weight of the container now being distributed across the fingers of the person lifting and carrying the container thereby reducing the stress on the fingers.

8. **(Original)** The improvement of claim 7 further including grooves formed on the flattened sides of the bail to further reduce stress on the fingers.

9. **(Currently Amended)** A container for paint and other fluent materials comprising:

a container body including a base and an integrally molded circumferential sidewall extending upwardly from the base, the upper end of the sidewall forming an open top for the container;

a bail for lifting and carrying the container, the bail being a plastic bail integrally molded together with the container, the bail being initially attached to the container body by tabs formed in the mold with the bail and the container body, the bail being subsequently detached from the container body by breaking off the tabs from the container body, the sidewall having attachment bosses integrally molded therewith and projecting outwardly from the sidewall for connecting the ends of the bail to the container body, the thickness of the base of the bail being substantially uniform throughout the length of the bail; and,

a ring fitting onto the upper end of the container and having a flange extending outwardly from the container, ~~tabs being formed on the bail and extending past the flange when the container is lifted by someone grasping the bail, the flange then preventing the bail from returning to its original position until the container is again set down wherein~~ the tabs bias against the flange in order to extend past the flange when the bail is lifted to a vertical position and wherein the tabs bias against the flange in order to extend past the flange when the bail is returned to a horizontal position.

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10. **(Currently Amended)** The container of claim 9 wherein the spacing of the bosses is less than ~~[[180°]]~~ 170° apart whereby the container, when empty and lifted using the bail does not hang vertically; but when full, does hang vertically.

11. **(Original)** The container of claim 10 in which the bosses are spaced approximately 140° apart.

12. **(Original)** The container of claim 11 wherein the bail comprises a generally U-shaped channel, in cross-section, having a base and respective sidewalls, the base and sidewalls being of a constant thickness.

13. **(Original)** The container of claim 12 in which the thickness of the base and sidewalls of the bail are substantially the same thickness as the sidewall of the container body.

14. **(Original)** The container of claim 13 in which the cross-section of the bail is modified from a channel shape to a substantially flattened shape at a point intermediate the ends of the bail and substantially equidistant from the bosses on the side of the container body where the bail attaches to the container body.

15. **(Original)** The container of claim 14 in which the flattened aspect of the bail extends vertically, parallel to the longitudinal centerline of the container body when the container is set in place.

16. **(Original)** The container of claim 15 in which, when the bail is raised to a vertical position for carrying the container, the flattened aspect of the bail extends horizontally, parallel to the ground, to facilitate lifting and carrying of the container, the weight of the container now being distributed across the fingers of the person lifting and carrying the container thereby reducing the stress on the fingers.

17. **(Currently Amended)** A paint can comprising:

a plastic molded can body including a base with an integrally formed circumferential sidewall extending upwardly from the base, the upper end of the sidewall forming an open top for the container; ~~[[and,]]~~

a plastic lid for covering the opening to shut the can; and,

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a bail for lifting and carrying the container, the bail being a plastic bail integrally molded together with the can and attached to the can by tabs formed in the mold, the bail subsequently being detached from the can by breaking off the tabs from the can body, and the sidewall of the can body having attachment bosses integrally molded therewith and projecting outwardly from the sidewall for connecting the ends of the bail to the can, the thickness of the base of the bail being substantially uniform throughout the length of the bail.

18. (Original) The paint can of claim 17 wherein the spacing of the bosses being less than 180° apart for the paint can, when empty and lifted using the bail does not hang vertically, but when full does hang vertically.

19. (Original) The paint can of claim 18 in which the bosses are spaced approximately 140° apart.

20. (Original) The paint can of claim 17 wherein the bail comprises a generally U-shaped channel, in cross-section, having a base and respective sidewalls, the base and sidewalls being of a constant thickness.

21. (Original) The paint can of claim 20 in which the thickness of the base and sidewalls of the bail are substantially the same thickness as the sidewall of the can body.

22. (Original) The paint can of claim 21 in which the cross-section of the bail is modified from a channel shape to a substantially flattened shape at a point intermediate the ends of the bail and substantially equidistant from the bosses on the side of the container body where the bail attaches to the container body.

23. (Cancelled).

24. (Currently Amended) The paint can of claim ~~[[23]]~~ 22 in which, when the bail is raised to a vertical position for carrying the container, the flattened aspect of the bail extends horizontally, parallel to the ground, to facilitate lifting and carrying of the container, the weight of the container now being distributed across the fingers of the person lifting and carrying the container thereby reducing the stress on the fingers.

25. (Currently Amended) The paint can of claim 17 further including a ring attached to the upper end of the container, the ring having a flange extending outwardly from the container and tabs being integrally formed on the bail, ~~the tabs extending past the flange when the container is lifted by someone grasping the bail, with the flange~~

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~~preventing the bail from returning to its original position until the container is again set~~  
down the tabs bias against the flange in order to extend past the flange when the bail is  
lifted to a vertical position and wherein the tabs bias against the flange in order to extend  
past the flange when the bail is returned to a horizontal position.